

Assembly Bill No. 863

CHAPTER 127

An act to amend Section 11887.1 of the Public Utilities Code, relating to municipal utility districts.

[Approved by Governor August 5, 2009. Filed with
Secretary of State August 6, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 863, Niello. Public utilities: municipal districts: civil service exemptions.

Under existing law, the general manager of a municipal utility district is required to adopt a civil service system for the selection, examination, employment, classification, advancement, suspension, and discharge of employees.

Existing law allows the board of directors of a municipal utility district with 600 or more employees to appoint up to 15 employees to positions requiring peculiar and exceptional qualifications who are exempt from the district civil service system. Additionally, the board of a district which has owned and operated an electric distribution system for at least 8 years and has a population of 250,000 or more may determine that additional positions be exempt from district civil service, so long as the total number of these exempt positions does not exceed 2% of the total civil service positions of the district.

This bill would raise the maximum percentage of exempt employees the board of a district meeting the necessary requirements may appoint from 2% of the total civil service positions of the district to 5%.

The people of the State of California do enact as follows:

SEC. 1. Section 11887.1 of the Public Utilities Code is amended to read:

11887.1. The board of a district which has owned and operated an electric distribution system for at least eight years and has a population of 250,000 or more may, notwithstanding Section 11887, determine that additional positions requiring peculiar and exceptional qualifications, including, but not limited to, those of a scientific, professional, or expert character or of special confidence, or positions with significant managerial responsibility, shall be exempt from the district civil service if the total number of these exempt positions, including the exempt positions filled pursuant to Section 11887, does not exceed 5 percent of the total civil service positions of the district. However, the board may not determine any position to be exempt

as long as that position is filled by an employee appointed pursuant to the district civil service.

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